



**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

WINDMULLER et al Atty. Ref.: 4662-129; Confirmation No. 4401

Appl. No. 10/563,377 TC/A.U. 1713

Filed: April 27, 2006 Examiner: Lu

For: PROCESS FOR THE PRODUCTION OF A POLYMER COMPRISING MONOMERIC UNITS OF ETHYLENE, AN A-OLEFIN AND A VINYL NORBORNENE

\* \* \* \* \*

September 5, 2007

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**ELECTION**

Continuing examination of this application is requested on the basis of the elected catalyst to be Catalyst  $\eta^5$ -(perfluorophenylcyclopentadienyl)(tri-*tert*-butylphosphinimine) titanium dimethyl which is identified as "Cat 2" in Table 1, page 12, of the description of the invention. Attention is also directed to Example 4 versus Comparative Example C as evidence of the benefits obtained by this particular catalyst are unexpected.

This application was discussed with Examiner Lu on August 22, 2007. Counsel was advised that in order to change the elected species it would be necessary to request continued examination, hence the basis for filing this RCE and pursuing examination with a different elected specie.

Further examination is awaited.

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Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_

  
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